



# Land Use, Sustainability and Resilience Committee

*City of Arts & Innovation*

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**TO: LAND USE, SUSTAINABILITY AND RESILIENCE COMMITTEE** **DATE: AUGUST 12, 2024**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT** **WARDS: ALL**

**SUBJECT: MOBILE VENDING/FOOD TRUCK ENFORCEMENT OPTIONS**

**ISSUE:**

Discuss potential code amendments to the City’s Mobile Vending Ordinance – RMC 5.36

**RECOMMENDATIONS:**

That the Land Use, Sustainability, and Resilience Committee provide staff direction on potential code amendments regarding food trucks, including, but not limited to an on street permitting program, restrictions for vending on specified street types or speed limit zones, food trucks parked on private property, and clarification of certain definitions within the existing ordinance.

**BACKGROUND:**

The City Council adopted Riverside Municipal Code 5.36 (Attachment 1) on February 8, 2022, greatly expanding the opportunities for mobile vendors/food truck operators to conduct business in the City of Riverside. Mobile food trucks are motorized vehicles that function as transportable retail food facilities for the sale of food and beverages to the public. They have lower startup costs than traditional brick and mortar locations and provide economic opportunity for entrepreneurial individuals. Mobile food trucks are subject to state and local health standards and are extensively regulated by Riverside County Department of Environmental Health. They must obtain a County Health Permit, pass health inspections, and display a certification sticker prominently on the truck. Furthermore, mobile food trucks operating within the Riverside City limits must also obtain a City business tax certificate.

**DISCUSSION:**

The City of Riverside currently has 24 licensed food trucks operating in the City. Since the current food truck ordinance was adopted in February of 2022, Code Enforcement staff has issued 30 administrative citations. Citations have been issued primarily for instances of trucks doing business without a valid City Business Tax Certificate, and for various operational and parking violations. Every food truck operator has been provided with a food truck informational brochure outlining their restrictions and guidelines.

On May 13, 2024, the Land Use, Sustainability and Resilience Committee (Committee) met to receive an update and discuss additional enforcement options. At that meeting, Committee members directed staff to provide additional information on, and potential code amendments to include:

- 1) Establishing street parking permit program
- 2) Limiting food trucks to designated street types/categories
- 3) Speed limit study – Diana/Tyler
- 4) Increasing number of food trucks allowable on private property

In addition to these items, staff also has the following recommendations for Committee consideration:

- 1) Revising “Food Truck” definition to include non-motorized trailer type food trucks; and
- 2) Clarifying restriction of food trucks in “metered parking”.

### Street Parking Permit Program

Riverside Municipal Code (RMC) Section 10.52 currently outlines the City’s existing parking permit program in addition to other parking restrictions regarding stopping, standing, or parking on streets. RMC subsection 10.52.140 specifically outlines the existing residential Preferential Parking Zones (PPZ) where permits are required for designated eligible streets, which consist of restricting parking along a block(s) to those resident and guest vehicles displaying permits or as a time restricted parking for all other vehicles. Furthermore, the subsection provides requirements for the preferential parking permit and its validation for only the same block upon which the residence or business is located. Preferential parking zones are designated by resolution of the City Council and are intended to preserve residential designated street parking to adjacent residents and guests while limiting or eliminating overflow parking from outside neighborhood sources such as schools and parks.

Establishing a new Street Permit Program for the purpose of regulating mobile food trucks would consist of a separate permit program beyond the existing PPZ, and would require updates to the RMC and a resolution approved by the City Council.

### Limiting Street Types

Riverside Municipal Code (RMC) Section 10.56 identifies the restricted use of certain streets and provides guidance for limiting and prohibiting commercial vehicles from using certain street segments. The restriction applies to commercial vehicles exceeding a designated gross weight and/or axle limits prohibited from using certain streets. Commercial vehicle weight restrictions include exceeding 6,000 pounds (3 tons) or exceeding 10,000 pounds (5 tons) and commercial vehicle axle restrictions exceeding three (3) axles are prohibited on certain streets. The purpose of the commercial vehicle weight and axle restrictions are to preserve the pavement, reduce cut-through traffic and improve quality of life for residents. However, commercial vehicles may be operated thereon for the purpose of delivering or picking up materials merchandise or the performance of services in connection with and in aid of a property within the block.

Commercial vehicle weight restrictions and axle restrictions on certain streets are currently enforceable for mobile food trucks. There are no existing commercial vehicle weight restrictions and axle restrictions on Diana Avenue west of Tyler Street.

### Speed Limit Study – Diana

The Public Works Department performs speed surveys to establish appropriate speed limits on public street segments. The Engineering and Traffic Surveys (E&TS) is an engineering study of the prevailing speeds and a review of the traffic conditions on the roadway in accordance with the California Vehicle Code and Manual on Uniform Traffic Control Devices. The E&TS enable both establishment and enforcement of the posted speed limits on public streets. Diana Avenue between Tyler Street and 500 feet west of Park Sierra Drive is a two-lane local roadway with a mixture of commercial properties, apartment complexes, Castle Park on the north side of the roadway and the State Route (SR) 91 freeway runs parallel to the south side of the street. In March 2024, an updated E&TS was completed maintaining the existing 40 mile per hour speed limit zone on Diana Avenue from Tyler Street to 500 feet west of Park Sierra Drive. The E&TS survey was completed due to update requirements and evaluation of roadway conditions from prior concerns received regarding mobile food trucks on Diana Avenue. The established speed limits on public city streets are summarized in RMC Section 10.76.010.

There are no staff recommendations regarding the posted speed limit on Diana Avenue west of Tyler Street currently.

### Food Trucks on Private Property

The Committee asked staff to consider increasing the number of trucks allowable on private property. In reviewing mobile food vending ordinances of neighboring communities, most codes are silent on this topic and seem to approach the private property food truck operations as a land use/zoning issue. They may or may not allow it based on zoning regulations and/or require temporary or special use permits for the use. Others prohibit food trucks from operating on private property altogether with an exemption for “lunch trucks” for short periods of timing serving businesses, construction sites, etc.

Riverside’s code is unique in that it does expressly allow limited food trucks on private property under certain conditions without any Planning approval or special use permits. RMC 5.36 allows up to two (2) food trucks with written permission from the property owner and further requires that at least two (2) designated parking spaces be available for each truck and not be reserved, encumbered or designated to satisfy off-street parking of another business that is operating at the same time as the vending vehicle.

Staff recommends increasing this to four (4) with the same conditions. More than four (4) trucks could create traffic and visibility safety issues not unlike those on public streets. In addition, the City may also want to consider minimum lot size in relation to the number of allowable food trucks in order to maintain adequate sight lines, traffic and pedestrian safety and available customer parking.

### Food Truck Definition

Food trucks or “vending vehicles” are currently defined as:

*“Any self-propelled, motorized device by which any person or property may be propelled or moved upon a highway, excepting a device moved exclusively by human power, or which may be drawn or towed by a self-propelled, motorized vehicle, or used exclusively upon stationary rails or tracks, from which foodstuffs are sold, displayed, solicited or offered for sale, bartered, exchanged, given or otherwise.”*

Many of the vehicles that staff encounter in the field are non-motorized towable trailers that may or may not be detached from the towing vehicle at the time they are operating. These trailers are

licensed and registered as vehicles pursuant to the California Vehicle Code and operate in the identical manner as a self-propelled vehicle. Riverside County Environmental Health also includes these trailers in their mobile food facility permitting program. Staff recommends that the food truck definition include this vehicle type, consistent with other agencies.

### Metered Parking

RMC 5.36.070 (E) states:

*“Vending vehicles shall not operate out of metered parking stalls and shall respect all curb markings and posted signage including, but not limited to loading zones, bus stops, and restricted parking areas.”*

Most of the available on-street parking spaces in the downtown area are metered. Parking stalls downtown are limited and greatly impacted in the evenings near the downtown entertainment venues. The intent of this section was to preserve available metered parking for regular vehicles and patrons of the downtown businesses. Food trucks, due to their size and length of stays could encumber many parking stalls. The impacts to the parking occur outside of the timeframe for when these stalls are actually considered “metered.” Therefore, City Staff recommends amending this section to read:

*“Vending vehicles shall not operate out of metered parking stalls, **whether or not the stall is currently within the metered time period** and shall respect all curb markings and posted signage including, but not limited to loading zones, bus stops, and restricted parking areas.”*

This change would preserve downtown on-street parking for patrons during all hours, and not just the hours that pay parking is in effect.

## **STRATEGIC PLAN ALIGNMENT:**

**Strategic Priority 2: Community Well-being** – Ensure safe and inclusive neighborhoods where everyone can thrive.

### **Goals:**

**2.4** – Support programs and innovations that enhance community safety, encourage community engagement, and build public trust.

**2.5** - Foster relationships between community members, partner organizations, and public safety professionals to define, prioritize, and address community safety and social service needs.

1. **Community Trust** –Staff continues to engage community and team members on a regular basis regarding food trucks and educates the food truck operators in the field, building a relationship with them and the customers. The City strives to balance the need for food truck and sidewalk vending opportunities with safeguarding public safety.

2. **Equity** – This item is being undertaken to provide equal entrepreneurship opportunities for segments of the business community that have been highly regulated and restricted while at the same time, providing for a safe environment for residents and the community.

3. **Fiscal Responsibility** – Increased food truck and sidewalk vending activity in the City of Riverside can potentially generate additional sales tax and permit fee revenue. In addition, it can potentially attract additional visitors to areas such as the Downtown Entertainment District by providing additional dining options, thereby further increasing sales tax revenue for area businesses.
4. **Innovation** – The “street food” culture is a growing trend in many progressive areas of the country. Providing a regulatory framework that encourages this entrepreneurship while still safeguarding the public’s health, safety and welfare would place Riverside among those model cities that are beginning to incorporate this “street food” culture into their downtowns.
5. **Sustainability & Resiliency** – Continuing to expand food options meets current demands for food options without compromising the needs of the future. Food trucks enjoy a degree of popularity, and this economic opportunity will positively impact the City’s capacity to persevere, adapt and grow.

**FISCAL IMPACT:**

There is no fiscal impact associated with this report.

Prepared by: Gary T. Merk, Code Enforcement Manager  
Approved by: Jennifer A. Lilley, Community & Economic Development Director

Certified as to  
availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer  
Approved by: Rafael Guzman, Assistant City Manager  
Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

- 1) RMC 5.36
- 2) Presentation